## State of Utah v. George Howard

Receiving Stolen Property

## **Characters**

- (1) *The Judge* (Christine M. Durham)
- (2) The Court Clerk
- (3&4) *The Prosecutor*
- (5&6) Defense Counsel
- (7) Michael Clark (Prosecution witness; former friend of George Howard)
- (8) Robert Sanders (Prosecution witness; car thief George Howard bought his car from)
- (9) Officer Thomas Jones (Prosecution witness; state trooper who stopped George Howard)
- (10) George Howard (Defense witness; accused of receiving stolen property)
- (11) Susan Smith (Defense witness; George Howard's ex-girlfriend)
- (12) *Bailiff* (Job is to keep order in the courtroom)
- (13) *Jurors-8*

## **Script**

**Baliff:** All rise. The Third District Court is now in session, the Honorable Christine

Durham presiding.

Judge: Please be seated. Is counsel ready to proceed with the opening arguments?

The Prosecutor rises and goes to the lectern.

**Prosecutor:** Yes, Your Honor. Ladies and gentlemen of the jury, the State intends to prove that the defendant, George Howard, did buy a car, which he, in fact, knew to be stolen in violation of Utah law. The law makes it illegal to purchase any motor vehicle that has been stolen and which one, in fact, knows to have been stolen. The State intends to prove that the extremely low price of the car; the questionable nature of the registration papers given to the Defendant at the time of the car's purchase; and the fact that the Defendant is very knowledgeable about cars demonstrates that he should have and, in fact, did know that the car he purchased was stolen. The Defense will, no doubt, argue that there was no way that the Defendant could have known that the car was stolen. However, I assure you that the facts of the case will bear a different interpretation. The State will present testimony that will indicate the Defendant has the necessary information to know that the car was stolen. At the conclusion of this trial, I will ask you to return a verdict of guilty as charged. Thank you.

The Prosecutor sits down at counsel table

**Judge:** Does the Defense wish to make an opening statement at this time?

The Defense Attorney rises and proceeds to the lectern.

**Defense:** 

Thank you, your Honor. The Defense does wish to make an opening statement. Ladies and Gentlemen of the jury, what the State is attempting to do here today is nothing less than shameful. The State says that my client is guilty of receiving stolen property. The State says that since my client is knowledgeable about cars, he should know if a car is stolen. The State says that he should have the ability to tell when a document is forged. Furthermore, the State says that, when he fails to do these things, my client should be treated as a criminal. The evidence will show that my client had no way of knowing the car he purchased was, in fact, stolen. We will show that the person he purchased the car from was a career criminal who conned my client into thinking that he was entering into a perfectly legal transaction. Make no mistake, ladies and gentlemen of the jury, the only thing that my client is guilty of is getting a good deal on a car, and, as far as I know, that is not against the law. At the conclusion of this trial, I will ask you to return the only just verdict; that being not guilty. Thank you.

The Defense Attorney sits down.

**Judge:** The State may call its first witness.

The Prosecutor makes his/her way to the lectern.

**Prosecutor:** Your Honor, the State calls Michael Clark to the stand.

Michael Clark comes forward and stands near the witness box as the Court Clerk stands and raises his/her right hand to administer the oath.

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth. So help you God?

M. Clark: I do.

**Judge:** Please be seated.

Michael Clark sits in the witness box. The Court Clerk sits down.

**Prosecutor:** Please state your full name for the record.

M. Clark: Michael Clark.

**Prosecutor:** What is your occupation?

M. Clark: I'm a senior at Salt Lake High School. I also have a part time job. On the

weekends and during the summer I get paid to do some work on cars for a local

mechanic.

**Prosecutor:** Do you know the Defendant?

**M. Clark:** Yes, we were good friends.

**Prosecutor:** Has the Defendant ever worked on any cars with you?

**M. Clark:** Yes. Actually, we've put together our money in the past, bought some old cars,

fixed them up, and sold them. We've made some good money, you know, for high

school students working part time.

**Prosecutor:** During the time you two were putting together your money to buy, fix up, and sell

cars for profit, did the defendant ever decide not to purchase a certain car?

**M. Clark:** Yes. There were actually two such times.

**Prosecutor:** Why did he refuse to buy these cars?

**M. Clark:** Well, George basically told me that he thought the cars were stolen. He said the

prices were way too low. He said the sellers seemed shady and other stuff about the sale just didn't seem right. For example, with one car, the seller could not find the registration papers but wanted to sell it anyway. That made George suspicious and he wouldn't go through with the deal. In general, I say he knows

more about cars than I do so I didn't push it.

**Prosecutor:** Do you know if the defendant was correct about any of his speculations about the

cars being stolen?

**M. Clark:** Yes, within a week of the two sales, the local paper reported that the cars were

stolen and that the sellers were arrested for grand theft auto or something like

that.

**Prosecutor:** Why was the defendant so worried about not buying the cars he thought might

have been stolen?

**M. Clark:** He kept telling me that it was illegal to buy cars when you know they're stolen. If

he hadn't told me, I would have done the deal anyway because I didn't know about the law and I thought we were passing up a good thing. As it turned out, I'm glad I listened to him.

**Prosecutor:** One last thing, Mr. Clark. Would you please read to the Court the following lines

from the agreement of stipulated facts which both the Prosecution and Defense

agreed to?

**M. Clark:** Certainly:

"It is agreed that on April 1, 2007, the defendant, George Howard, purchased a 2005 Mustang convertible for \$2,500 from Mr. Robert Sanders, alias Mr. William (Bill) Smith. It is further agreed that the blue book value of the car in question was at least \$23,000 at the time of the sale and that the Defendant, George Howard, knew the approximate blue book value of the car before purchasing it. The Defendant did not do any online research or seek other information to

determine the car's history."

**Prosecutor**: Mr. Clark, would you say that the Defendant's behavior in this case was different

from his actions in past transactions involving cars that the two of you purchased

together?

M. Clark: Yes.

**Prosecutor:** Why?

**M. Clark:** The difference in the prices, the fact that he never checked the car's history. I

mean, in the past, he always tried to make sure that a car wasn't stolen. This time

he kind of looked the other way. He must have known it was stolen.

**Defense:** Objection, Your Honor! Speculation. The witness could not possibly have

(Standing) known what was in my client's head.

**Judge:** Sustained. The jury will disregard the witness's last statement.

**Prosecutor:** No further questions Your Honor.

The Prosecutor sits down at counsel table as the Defense Attorney rises and walks to the lectern.

**Judge:** Defense do you wish to cross examine the witness?

**Defense:** Yes, thank you, Your Honor. Mr. Clark, you are not a certified mechanic are

you?

M. Clark: No.

**Defense:** You said that you and George were good friends. Are you still?

M. Clark: We were pretty ticked off at each other a few months back, if that is what you are

getting at.

**Defense:** What was the nature of that falling out?

**M. Clark:** As I said, we put our money together to buy, fix up, and then sell cars to make

money. A few of the cars George suggested I buy didn't make us any money. In fact, we lost quite a bit. I had saved up some money to buy a car I really wanted.

The deal fell through when we kept losing money.

**Defense:** How much did you lose?

**M. Clark:** About \$3,000.

**Defense:** Why do you blame George?

M. Clark: I didn't want to buy these cars. They had been totaled, but he insisted. He's the

reason I lost my money.

**Defense.** So, you're still pretty angry with him, aren't you?

M. Clark: Yes.

**Defense:** Angry enough to try to send him to jail?

**Prosecution:** Objection! Argumentative.

(Standing)

**Defense:** Withdrawn. No further questions your Honor.

The Defense Attorney sits down and the Prosecutor goes to the lectern.

**Judge:** Does the Prosecution wish to redirect?

**Prosecution:** Yes, Your Honor. Mr. Clark, do your personal feelings toward the Defendant

have anything to do with your testimony in this case?

M. Clark: No.

**Prosecution:** Are you trying to get Mr. Howard in trouble and humiliate him in the community

because you blame him for the fact that you lost \$3,000 and the chance to buy a car you really wanted? If you can't have the car you want, neither can he? Is that

it?

**M. Clark:** Absolutely not. I mean, I'm mad at him but I wouldn't sink that low. Anyway,

the blame is mine, too, for losing the money. I went along with him. I didn't

have to.

**Prosecutor:** Why are you here testifying today?

**M. Clark:** I received a subpoena telling me that I had to or I could go to jail.

**Prosecutor:** No further questions.

The Prosecutor sits down.

**Judge:** Re-cross?

The Defense Attorney goes to the lectern.

**Defense:** Thank you, Your Honor. I just have one question. Mr. Clark, you realize that a

subpoena requires you to appear in Court to tell the truth, not what the State wants

you to say, right?

**Prosecution:** Objection!

(Standing)

**Defense:** Withdrawn.

**Judge:** Defense counsel will refrain from any other such comments in the future. Mr.

Clark, you may step down. Does the State have any other witnesses it wishes to

call?

Michael Clark steps down from the witness stand and walks to the back of the courtroom.

**Prosecution:** Yes, Your Honor. The State wishes to call Mr. Robert Sanders. (Bailiff brings in

from holding cell.)

Robert Sanders proceeds to and stands before the clerk.. The Court Clerk raises his/her right hand to administer the oath.

Court Clerk: Do you swear to tell the truth, the whole truth, and nothing but the truth so help

you God?

R. Sanders: I do.

**Judge:** You may be seated.

Robert Sanders sits in the witness box and the bailiff remains by his side.

**Prosecution:** Would you please state your full name for the record?

**R. Sanders:** Robert Sanders.

**Prosecution:** Where do you currently reside, sir?

**R. Sanders:** I am currently incarcerated in the state prison.

**Prosecution:** What was your crime?

**R. Sanders:** I stole some cars and then sold them to various people. I've been charged with

five counts of auto theft and three counts of selling stolen property.

**Prosecution:** Have you entered a plea on those charges?

**R. Sanders:** Yes, I've pleaded guilty.

**Prosecution:** Is that guilty plea pursuant to an agreement with the State?

R. Sanders: Yes.

**Prosecution:** As part of your guilty plea are you expected to testify against the Defendant?

R. Sanders: Yes.

**Prosecution:** Has the State made any promises in exchange for your testimony?

**R. Sanders:** The State promised to ask the Judge for a reduced sentence.

**Prosecution:** Have you ever seen the Defendant before (pointing to George)?

**R. Sanders:** Yes, I sold a car to him.

**Prosecution:** Let the record reflect that the witness pointed to the Defendant.

**Judge:** The record will so reflect.

**Prosecution:** Mr. Sanders, did you have an alias when you sold the car to the Defendant?

R. Sanders: Yes

**Prosecution:** What was that?

**R. Sanders:** Bill Smith.

**Prosecution:** Was the car in question one that you stole?

**R. Sanders:** It was. I stole it from the Ken Garff lot. From what I heard a few cars had been

stolen from the lot lately so the cops were attempting a sting to get them all back. I thought I'd better unload the car as fast as I could. I overheard George one day in a restaurant describe his dream car—the one I had—so I decided this was a

good chance to get rid of it. He took the bait.

**Prosecution:** Took the bait?

**R. Sanders:** Bought it.

**Prosecution:** Did you ever hear the Defendant say anything that gave you the impression that

he knew the car was stolen?

**Defense:** Objection. Speculation.

(Standing)

**Prosecution:** I'd ask for a little leeway.

**Judge:** You can have a little. The objection is overruled. Mr. Sanders, you may answer

the question.

**R. Sanders:** Well, I thought he was getting suspicious. When he came to see the car and I told

him the price, he asked me something like, "There's nothing shady about this deal is there?" I thought he was on to something so I told him my wife and I recently had some financial difficulties so we needed to get rid of it as soon as possible.

To put some pressure on him, I told him that I had another offer.

**Prosecution:** Anything else?

**R. Sanders:** Yeah, the registration. He really looked it over and seemed antsy about it.

**Prosecution:** Why do you say that?

**R. Sanders:** Well, I mean, I told him I had to give him a copy because I lost the original. It

was rather crude and George asked me if anything was wrong with it. I said no

and that was the end of it.

**Prosecution:** Did he say what he needed the car for?

**R. Sanders:** He said to get to school and work. Oh yeah, and something about a girlfriend. I

think that last reason was why he wanted it so badly. He wanted to impress her.

**Prosecution:** Thank you. No further questions.

The Prosecutor sits down as the Defense Attorney rises and walks to the lectern.

**Defense:** Did my client ever directly ask you if the car were stolen?

**R. Sanders:** No.

**Defense:** You have recently pleaded guilty to five counts of auto theft and three counts of

selling stolen property, have you not?

**R. Sanders:** Yes.

**Defense:** And you are currently waiting to be sentenced?

**R. Sanders:** Yes

**Defense:** So you're a criminal?

**R. Sanders:** That's not what my mother calls me.

**Defense:** And you've lied to people, such as my client? Part of how you sold your stolen

property is by lying, correct?

**R. Sanders:** I think they call it spin.

**Defense:** So, are you lying here today?

R. Sanders: No.

**Defense:** How do we know?

**R. Sanders:** I'm under oath.

**Defense:** Of course. No further questions.

The Defense Attorney sits down as the Prosecutor proceeds to the lectern.

**Prosecution:** Does your plea agreement with the State require you to testify truthfully?

**R. Sanders:** Yes.

**Prosecution:** And if you don't?

**R. Sanders:** The State won't ask for a reduced sentence.

**Prosecution:** Thank you, Mr. Sanders. No further question.

**Judge:** Re-cross?

**Defense:** No, your Honor.

(Standing)

The Prosecutor sits down.

**Judge:** Very well. Mr. Sanders, you may step down.

Robert Sanders steps down from the witness stand and is returned to the holding cell.

**Prosecution:** The State would like to call Officer Thomas Jones to the stand.

Officer Jones proceeds to and stands before the clerk. The Court Clerk stands and raises hi/her right hand to administer the oath.

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth so help

you God?

**O. Jones:** I do.

**Judge:** You may be seated.

Officer Jones sits in the witness box. The Court Clerk sits down.

**Prosecution:** Please state your name for the record.

**O. Jones:** Thomas Jones.

**Prosecution:** What is your occupation?

**O. Jones:** I am a sergeant with the Utah State Highway Patrol.

**Prosecution:** Have you ever seen the Defendant before (pointing to George)?

**O. Jones:** Yes

**Prosecution:** Where have you seen the Defendant?

**O. Jones:** On the night of April 22, 2007, he was in a vehicle going southbound on Highway

5. I was using my radar on the side of the road and clocked his car as doing 80 in

a 55 mile-per-hour zone. I proceeded to pull him over.

**Prosecution:** What happened then?

**O. Jones:** I followed standard procedure and asked for his license and registration. When he

handed me the registration, I became suspicious because it was a photocopy. I checked the information on it with a computer database in my patrol car and it reported that the Defendant's car was stolen. At that point I went back to the Defendant's car, informed him of the situation, and asked him to accompany me

to the police barracks until this could be straightened out.

**Prosecution:** How did the Defendant respond?

**O. Jones:** Well, he accompanied me back to the police station but didn't say anything. His

father was contacted and the father had his lawyer come to the station. After this, the Defendant began to talk. He said that he didn't steal anything and that he bought the car from a Mr. Bill Smith. He even produced the receipt. At this point, we decided to release the Defendant to the custody of his parents. I informed him that the District Attorney's Office may be opening an investigation to determine whether or not he would be charged with the offense of receiving

stolen property.

**Prosecution:** What became of the investigation?

**O. Jones:** Apparently, the District Attorney investigated the matter and decided there was

enough evidence to charge the Defendant with receiving stolen property. That was the last I heard of the matter before I was informed that I would be called to

testify here today.

**Prosecutor:** Thank you Officer Jones, no further questions.

The Prosecution sits down as the Defense Attorney proceeds to the lectern.

**Defense:** Officer Jones, the Defendant, Mr. Howard, was never actually charged with any

crime while you were investigating this matter, was he?

**O. Jones:** No. He was being questioned. I believe the District Attorney's Office was the

first to formally place him under arrest and charge him with committing a crime.

**Defense:** Thank you Officer Jones. No further questions.

The Defense Attorney sits down.

**Judge:** Re-direct?

**Prosecution:** No, Your Honor.

(Standing)

**Judge:** Very well, Officer Jones you may step down.

Officer Jones steps down from the witness stand and takes a seat in the courtroom.

**Prosecution:** Your Honor, the Prosecution rests.

(Standing)

**Judge:** Is the Defense ready to proceed?

The Defense Attorney approaches the lectern.

**Defense:** We would like to call Mr. George Howard to the stand.

The witness, George Howard, comes forward and stands in front of the clerk. The Court Clerk stands and raises his right hand to administer the oath.

Court Clerk: Do you swear to tell the truth, the whole truth, and nothing but the truth,

so help you God?

**G. Howard:** I do.

**Judge:** You may be seated.

George Howard sits in the witness box

**Defense:** Please state your name for the record.

**G. Howard:** George Howard.

**Defense:** Mr. Howard, would you say that you have a fairly good knowledge of

automobiles, how they work, and what they cost.

**G. Howard:** Yeah, I guess so.

**Defense:** In the past, you've had a fairly good track record of figuring out if cars were stolen

or not, haven't you?

**Prosecution:** Objection. Defense counsel is leading the witness.

(Standing)

**Judge:** Sustained.

**Defense:** Sorry, your Honor. Are you aware that it is against the law to buy stolen property

knowing that it is stolen?

**G. Howard:** Yes, that is why I didn't buy certain cars in the past when Mike and I were fixing

them up. We could have made a lot of money because they were being sold so cheaply but I thought that something was not right. The prices were too low, the

seller looked shady, and stuff like that.

**Defense:** Did you have any hesitations about buying the car that got you into this mess?

**G. Howard:** At first, yes.

**Defense:** Why?

**G. Howard:** Well, because of the price, at first I thought that either there was something really

wrong with the car itself, bad transmission or something, or it may have been stolen. I mean the price was too good to be true. I thought I got lucky, but I guess not.

**Defense:** What changed your mind?

**G. Howard:** Well, Mr. Sanders, who I knew as Bill Smith, told me that his wife and he had some

financial difficulties and needed to sell it right away. I felt guilty and kind of wanted to offer more to help him out but then I would have been short on cash myself. I felt bad but I really wanted it. Plus, he looked pretty straight and had the registration papers and stuff. He didn't seem shady like the two sellers I turned down. Those

guys, I later found out through the paper, really did steal the cars.

**Defense:** The Prosecution made an issue about the registration papers. Was anything wrong

with them?

**G. Howard:** Well, they were Xeroxed copies and they looked different from the registration

papers on my last car and most of the cars I've worked on lately. Mr. Sander's car was only six months old. I figured maybe these were new papers, or something. I haven't been to the Department of Motor Vehicles in a while and it's been two years since I bought my last car. I haven't worked on any cars that new, either.

**Defense:** Did you know that the car you purchased from Mr. Sanders was stolen?

**G. Howard:** No, I didn't. Like I said, at first, I had my suspicions that something may have been wrong with it but Mr. Sanders made me feel like everything was on the up-and-up. I would never buy something I knew was stolen. That's against the law and you can get arrested for it.

**Defense:** No further questions.

*The Defense Attorney sits down and the Prosecutor proceeds to the lectern.* 

**Prosecution:** Mr. Howard, wasn't there another reason you wanted this car so badly?

**G. Howard:** I don't think I understand the question.

**Prosecution:** Weren't you trying to impress your girlfriend?

**G. Howard:** Doesn't every guy want a cool car?

**Prosecution:** Mr. Howard, you admitted that you thought that something wasn't quite right

about this deal. Then, you seemed to convince yourself that everything was fine. Is it true that Mr. Sanders' explanations convinced you that the car was not stolen or is that what you wanted to believe? Truth is, you wanted this car to improve your social life and to impress your girlfriend, didn't you? You knew it was stolen but you had too much to lose to pass it up. You purposely looked the other

way didn't you?!

**Defense:** Objection! The State is testifying for my client!

(Standing)

**Judge:** Sustained.

**Prosecution:** No further questions.

The Prosecutor returns to the counsel table and the Defense Attorney proceeds to the lectern.

**Defense:** In good faith, Mr. Howard, you believed the car not to be stolen, didn't you?

**G. Howard:** Yes! As I said, I wouldn't buy something that I knew was stolen.

**Defense:** No further questions.

The Defense Attorney returns to counsel table.

**Judge:** Re-cross?

**Prosecution:** No, Your Honor

**Judge:** Very well, the witness may be excused.

The witness, George Howard, leaves the witness stand and goes to the defense counsel's table.

**Defense:** The defense calls Ms. Susan Smith.

The witness, Ms. Susan Smith, comes forward and stands in front of the court clerk as the Court Clerk stands and raises his right hand to administer the oath.

**Court Clerk:** Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

S. Smith: I do.

**Judge:** You may be seated.

Ms. Susan Smith sits in the witness box.

**Defense:** Please state your name for the record.

**S. Smith:** Susan Smith

**Defense:** What is your relationship to the Defendant?

**S. Smith:** I was his girlfriend.

**Defense:** Was?

**S. Smith:** Yes, after he was arrested, my Dad wouldn't let me see him anymore. He's still a

good friend but, until this is cleared up, I can't see him.

**Defense:** Did George need to have a cool car to keep your interest?

**S. Smith:** No! I mean I liked it, but I'm not that shallow.

**Defense:** Did you ever tell George that he didn't need status symbols to impress you?

S. Smith: Yes.

**Defense:** So, there would be no reason why he felt under any obligation to get it, not even

to impress you? He simply got a good deal?

**Prosecution:** Objection. Defense counsel is speculating and testifying.

(Standing)

**Defense**: Withdrawn. No further questions.

The Defense Attorney sits down.

**Judge:** Cross-examination?

**Prosecution:** No, Your Honor.

(Standing)

**Judge:** Very well, the witness is excused.

Ms. Susan Smith steps down from the witness stand and walks to her seat.

**Defense:** The Defense rests.

(Standing)

**Prosecution:** The State rests.

(Standing)

**Judge:** Are both sides ready to proceed to final arguments?

**Prosecution:** Yes, Your Honor.

(Standing)

**Defense:** Yes, Your Honor.

(Standing)

*The Prosecutor proceeds to the lectern and faces the jury.* 

**Prosecution:** Ladies and gentlemen of the jury, the evidence has shown that the Defendant, Mr.

George Howard, knew that the car he purchased from Mr. Robert Sanders, or Mr. William (Bill) Smith as he was known to the Defendant was, in fact, stolen. The Defendant contends that he did not know this. This is how the defendant wished

to construe the facts. However, when viewed objectively, the facts are clearly different from Mr. Howard's perspective on them.

The Defendant has been working on cars for years. He reads about them, works on them in his spare time, helps out a local mechanic, and even fixes up used ones and sells them for a profit. He didn't buy certain cars in the past because he thought they were stolen. They were suspiciously low priced and there were problems with the registration papers.

Ladies and gentlemen of the jury, these are the same facts that have been presented in this case. The Defendant bought a \$23,000 car for \$2,500. He acknowledged that he knew the blue book value. Mr. Sanders testified that the Defendant questioned him about the price difference and also about the registration papers. The Defendant would have us believe that Mr. Sanders' explanations reassured and convinced him that nothing was wrong with this transaction.

Are we to believe this? Is it probable that a young man so experienced in automobiles as the Defendant could have not known that something was wrong with this transaction? Ladies and gentlemen of the jury, the fact of the matter is this: the Defendant wanted this car to raise his social standing and to impress his girlfriend. He let this cloud his judgment and this led him to buy a car he knew was stolen. It led him to break the law.

We have presented testimony that he knew that he was buying stolen property. Now we must make him realize this. That is all the State is asking. All we are asking is that he take responsibility for his actions. For these reasons, we ask you to return the only possible verdict in this case "Guilty." Thank you.

The Prosecutor sits down and the Defense Attorney makes his way to the lectern. When the Defense Attorney begins his argument, he/she will be facing the jury.

## **Defense:**

Ladies and gentlemen of the jury, I'm going to begin by asking you a question. How many of you like to throw money away? How many of you like to buy a product for full price at one store when you know it is 50% off at another nearby location? You don't have to answer me but I would ask you to reflect on these questions.

You see, the only reason my client, George Howard, is on trial today is because he was looking for a bargain—something we do as often as possible. My client happened to be very lucky. He found his dream car and, I will acknowledge, he seemed to get it dirt-cheap. What I, and I hope you, would call a good deal, the State attempts to call something very different. The State calls this "Sale or receipt of stolen property."

I don't argue with this law. Those who knowingly receive or buy stolen property should be subjected to it. However, I object most strenuously when it is used to charge an unknowing 18 year old with a felony! Yes, George knows a lot about cars. He testified that, at first, he thought there was something amiss with this transaction. However, Mr. Sanders, being the thief, con artist, and criminal that he is, was able to convince my client that everything was okay.

Instead of trying to punish Mr. Sanders even more for this, the State comes after young George and even goes so far as to recommend that Mr. Sanders receive a reduced sentence for his testimony!

Ladies and gentlemen of the jury, this is inexcusable. What this case comes down to is just two simple points: (1) The State is attempting to punish my client because he is not omnipotent and could not tell that the car he bought was stolen, and (2) They are attempting to punish him for nothing other than getting a good deal. Make no mistake; George has suffered a grave injustice at the hands of the State, which is supposed to protect him. I trust that you will let this injustice continue no longer and return the only just verdict in this case: "Not guilty." Thank you.

The Defense Attorney sits down. Addressing the jury, the Judge begins reading the jury instructions.

**Judge:** In order to convict the defendant, George Howard, according to the law as set forth you must find, beyond a reasonable doubt, that he:

"Received, retained, or disposed of the property of another knowing that it had been stolen, or believing that it probably had been stolen, or who concealed, sold, withheld or aided in concealing, selling, or withholding the property from the owner, knowing the property to be stolen, intending to deprive the owner of it."

In other words, you must find that the Defendant, George Howard, bought the property in question knowing it to have been stolen. If you cannot find this beyond a reasonable doubt, you must find the Defendant "Not Guilty." If you find, beyond a reasonable doubt, that the Defendant bought the property in question knowing it to have been stolen, then you may return a verdict of "Guilty."

Remember that your verdict must be unanimous. The jury now may begin its deliberations.

**Judge:** This Court is in recess.

The judge polls the teachers for the verdict by requesting a show of hands. The judge will explain that jury deliberations and the procedure for sentencing.

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